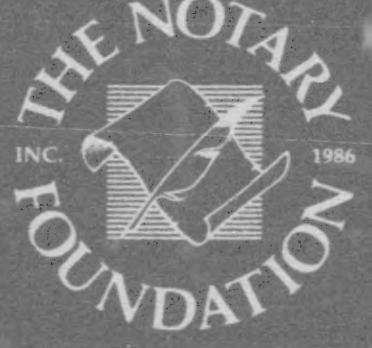
ANNUAL REPORT

2009

The Notary Foundation *of* British Columbia

Ken Sherk, Chair
of the Notary Foundation of BC



Building Better Communities, One Grant at a Time

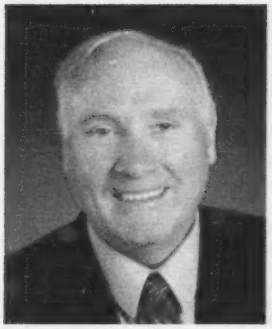
Table of Contents

Mission Statement	4
Message from the Executive Officer, G. W. (Wayne) Braid	5
Message from the Chair, Ken Sherk	6
Notary Foundation Grants	8
SPOTLIGHT ON GOOD WORKS:	9
Douglas College Foundation First Annual Awards at Douglas College	10
The Notary Foundation Supports Women in Need: Investing in the Future of Single Mothers	11
Change and Continuity at the People's Law School	12
The Vision of BC CEAS: All Seniors in British Columbia Have the Right to Live with Dignity, Safe from Abuse	14
BC Dispute Resolution Practicum Society Celebrates 10 Great Years	16
Congratulations, BC Notary Class of 2009	18
Award Winners 2009	18
Welcome to Our New BC Notaries	19
Meet Our MAALS Educators!	20
Financials	23

Mission Statement

The Notary Foundation helps the people of British Columbia by providing funding for legal aid, legal research, and public legal education, while supporting the professional development of BC Notaries and Notarial candidates.

Message from the Executive Officer, G. W. (Wayne) Braid



The source of the Notary Foundation's funds is the interest paid on clients' monies held "in trust" by our members in pooled trust accounts in Canadian Chartered Banks and British Columbia Credit Unions.

Due to the current low-interest-rate environment, the Foundation earned significantly less income in this fiscal period than we did in the previous two periods.

This, of course, has an impact on those organizations that depend on funds from the Notary Foundation, in particular the Legal Services Society of British Columbia, which automatically receives 55 percent of our trust income.

We have a tradition of supporting some of the many worthwhile projects of smaller legal-education and legal-related organizations in British Columbia. As you can see from the information contained in this report, we have been able—through the use of reserve funds—to continue to support them in their excellent work in the communities they serve throughout our province.

We are now in our 23rd year of existence as a Foundation. To date we have provided the Legal Services Society of British Columbia with over $37,948,327* to fund legal aid for people who do not have the resources to hire legal representation. Our monies also provide self-help assistance and legal education information across various topics and issues regarding access to justice in our court system.

The Board of Governors met in November of 2008 and again in March 2009 to develop a 3-year Strategic Plan. The Board revised the Foundation's mission statement, created a 3-year vision, identified five clear goals, and developed the key objectives needed to accomplish the five goals within the 3 years.

This report presents some of the highlights of the planning sessions and the Strategic Plan.

Our Governors are a dedicated and diligent group of people who donate their time to reviewing information and rendering decisions regarding Grant applications. They also set the policy and direction for the successful operation of our Foundation.

Each one deserves our thanks and appreciation.

* Adjusted

Message from the Chair, Ken Sherk

Ken Sherk, Chair of the Notary Foundation of BC

The following eight members of the Board of Governors were elected from the Board of Directors of The Society of Notaries Public.

Ken Sherk, Chair
Leta Best
Susan Davis
John Eastwood
Laurie Salvador
Scott Simpson
Del Virk
Tiah Workman

Leta C. Best

Susan Davis

John Eastwood

Laurie Salvador

Scott Simpson

Del Virk

Tiah Workman

Wayne Strandlund

David Moore

The Attorney General of BC appointed our two Board Members-at-Large: Wayne Strandlund, Director of Fisgard Capital Corporation, and David Moore, Director of Licensing Education for the Sauder School of Business at UBC.

This past year saw the Foundation undertake an extensive Strategic Planning session. The Governors, led by a professional strategic planner, developed a plan for the Foundation for the next 3 years. This strategic document will provide guidance and focus for the Foundation's activities.

We have adopted a new motto—"Building Better Communities, One Grant at a Time," which we are using on our print and Web publications.

The purpose of the Notary Foundation is to establish and maintain a fund to be used for the following purposes.

- Legal education
- Legal research
- Legal aid
- Establishing, operating, and maintaining law libraries in British Columbia
- Contributing to the Special Fund of the Legal Services Society established under the *Notaries Act*
- Education for BC Notaries

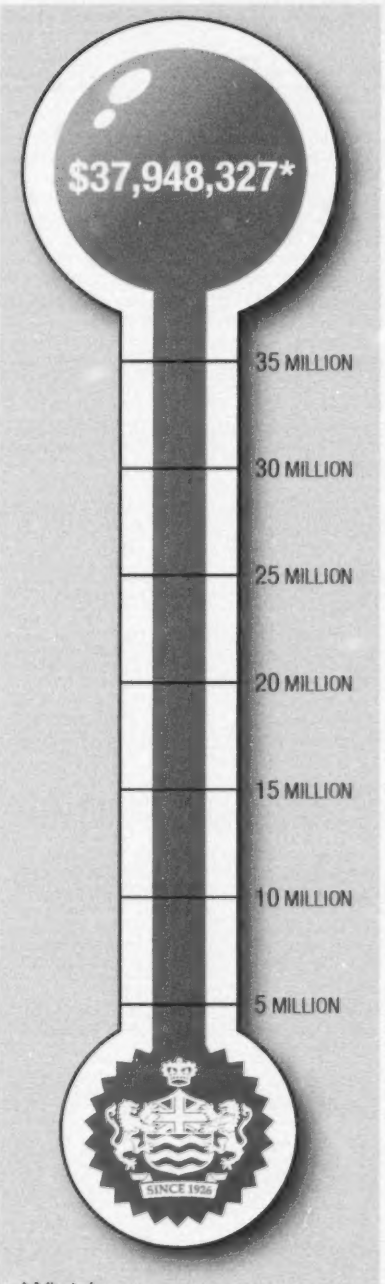
The Notary Foundation provides funding for these areas of Notary Education.

- Applicants studying to become BC Notaries
- Continuing Education for BC Notaries
- The Notary Preparatory Course
- The Master of Arts in Applied Legal Studies (MAALS), a program administered by the Society in collaboration with the Faculty of Education at Simon Fraser University

I would like to take this opportunity to express my appreciation to all the members of the Board of Governors for the time they have invested on behalf of our members and for their valuable contributions. Their excellent efforts facilitate my position as Chair of the Board.

Thanks, also, to the Staff at the Notary Foundation—Wayne Braid, Barry Piersdorf, Marilyn Taylor, and Rebecca Magallanes for their hard work and dedication.

Ken Sherk
Chair



* Adjusted

Funds provided to date to legal education in our province by the Notary Foundation of BC

Source: Interest earned from Notaries' trust accounts, *Notaries Act of BC*

Total at June 30, 2009

Notary Foundation Grants

July 1, 2008, to June 30, 2009

Since our previous AGM report in 2008, the Notary Foundation has granted funding to the following organizations.

Recipient	Grant	Project
Battered Women's Support Services Association	$10,000	Legal Advisory Workshop
BC Law Institute (UBC)	$75,000	Assisted Living, BC Law Reform
Central Okanagan Women's Resource and Education Foundation	$8,000	Community Legal Education
Kamloops and District Elizabeth Fry Society	$31,200	Rights in Prison Education
North Shore Community Resources Society	$24,000	Help's at Hand
Planned Lifetime Advocacy Network	$30,000	Nurturing Resilient Families
SFU, Faculty of Arts and Social Sciences	$10,000	Law School Development
SFU School of Criminology	$20,000	Master of Arts in Applied Legal Studies Program: Maintenance and Revisions
Simon Fraser University Library	$11,400	Library Resources for the Master of Arts in Applied Legal Studies
Sunshine Coast Resource Centre Society	$8,000	Sunshine Coast Civil Law Workshops
The Land Conservancy of BC	$10,000	Succession Planning: Securing BC's Farmlands for Generation to Come
The People's Law School	$30,000	Plain Language Booklet
West Coast Domestic Workers' Association	$40,000	Paralegal
West Coast LEAF Association	$15,000	Women's Advocates, Services, and Public Legal Education Materials: Mapping the Gap
	$1,000	Gender Facilitator Training Program
Western Canada Society to Access Justice	$15,000	Pro Bono Merger and Development

SPOTLIGHT ON GOOD WORKS

Douglas College Foundation
First Annual Awards at Douglas College

The First Annual Awards Luncheon hosted by the Douglas College Foundation was held Wednesday, March 19, 2008. The Notary Foundation of BC and The Society of Notaries Public of BC were among our benefactors.

Hazel Postma

We are here to celebrate the achievements of our students and to give thanks to you, our benefactors and honoured guests. Without you and the generous support of the companies and organizations you represent, many of our students would not be able to complete their education.

Your financial support helps them pay their bills and, more important, it tells them their community believes in them and in their dreams of a postsecondary education. Your donation tells them you have faith that they can achieve their goals and become well-rounded, responsible, and contributing citizens in our community.

We thank you for sharing our dream of a bright and prosperous future for all our students.

Hazel Postma is Association Vice President, External Relations, at the Douglas College Foundation.

Douglas College recipients of the Notary Foundation and BC Notaries Bursary and Scholarship (from left): Nima Ghavami, Peymaneh Chychi, and Brandon Reddy (at right), with Wayne Braid, Secretary and Executive Director of The Society of Notaries of BC

Sarah Lock

Thanks to the generous support of the Notary Foundation and the BC Notaries, students in the Legal Studies Diploma course at Douglas College received bursaries and scholarships to help them achieve their educational goals. Douglas College Foundation assists close to 1800 students each year.

Sarah Lock is the Coordinator of the Douglas College Foundation.

Dear Mr. Braid:

I am very glad to have met your requirements to receive the Notary Foundation and BC Notaries Scholarship and Bursary. I came to Canada 11 years ago, finished high school, worked in the labour force, then decided to go back to college to get more education.

Your award has motivated me more for reaching my goals, which are Continuing Legal Studies in the short term and Law School in the long term. I hope my contribution will be beneficial for our community. I appreciate your consideration and I am honoured to receive this reward.

Sincerely,
Nima Ghavami
Douglas College

The Scrivener, *Summer 2008, Vol. 17, No. 2*

Vanessa Wellington

The Notary Foundation Supports Women in Need: Investing in the Future of Single Mothers

In May 2008, the Notary Foundation of British Columbia made a generous gift of $25,000 to help YWCA Vancouver continue to provide the Legal Educator program, a vital service to women in need.

At age 20, Andrea Vollans became the mother of twin girls. Single, unprepared for the future, and overwhelmed by the needs of two babies, she knew she needed help. She enrolled in YWCA Vancouver's FOCUS pre-employment program and was connected to the YWCA's network of support for single moms.

Her two girls attended YWCA early learning and care centres during the day while Andrea completed her high school education, followed by her Bachelor of Social Work at the University of Victoria.

Today, Andrea is investing in the futures of other single moms as the YWCA's Legal Educator. She provides free legal services to clients from all YWCA programs and services, regardless of geographic location, ethnicity, age, or current situation.

Many of her clients are experiencing violence in the home, are dealing with child custody issues, and do not have family or financial resources. Through the Legal Educator program, clients who would not otherwise have access to legal education or advice can receive one-to-one support.

Andrea and her family when she graduated from UVIC

Women can also attend workshops to help gain a better understanding of the Canadian legal system and their rights, allowing them to make the best choices for themselves and their children. Andrea also works closely with YWCA staff who serve single mothers, women on the Downtown Eastside, and other marginalized groups by appropriately assisting and referring clients in need of legal support.

Andrea Vollans, YWCA Legal Educator

Her future goals are to expand the Legal Educator program to include a specialized advocate who helps women with child protection matters. Currently there is only one such advocate in the province; she works exclusively with mental health issues.

On a personal level, Andrea plans to eventually get her law degree so she can provide the legal representation so desperately needed by low-income and battered women.

The YWCA has a special focus on supporting families led by single mothers, who have the lowest incomes, the highest poverty rates, and many barriers to economic independence. The Legal Educator is one of 52 programs and services offered through YWCA Vancouver that served over 50,000 people throughout Metro Vancouver last year.

Programs include YWCA Crabtree Corner, a family resource centre in the Downtown Eastside that also receives funding from the Notary Foundation of BC; single mothers' support groups; housing communities for women and children; and employment services.

Visit our Website to learn more about how people like Andrea are making a difference in the lives of women and children in our community.

***Vanessa Wellington** is Donor Relations Manager at YWCA Vancouver.*

The Scrivener, *Fall 2008, Vol. 17, No. 3*

Change and Continuity at the People's Law School

We are living in a time of great change—for better and worse.

We receive daily reminders about the climate and other environmental changes and hear that we must modify our lifestyles to address those issues.

We are faced with rapidly evolving technologies, requiring further change in our lifestyles and work patterns. We have heard a great deal about the need for political change, particularly from south of the border.

We in the legal community also are faced with change. The issue of unrepresented litigants has been an issue since I started practising, but it seems to me that over the last few years the issue of affordable access to the legal system has gained a new urgency. It has become a momentous problem and the legal community recognizes the need for change.

This change may be reflected in new structures and organizations, such as the Justice Access Centres, changes to the Supreme Court Rules, and the expanding jurisdiction of Small Claims Court.

It may also be reflected in the way we view the legal system's relationship with the larger community—an institution where average people participate directly, as opposed to a system exclusively the domain of professionals.

These changes present a challenge to all of us, but hopefully a positive challenge for which the legal community will be prepared. For the last few years, the People's Law School has been keeping a close watch on the events in this community to ensure it is ready for the changes that are coming our way. It is well situated in that regard.

Susan Coristine

Since its creation in 1972, the People's Law School has focused on educating and informing British Columbians about Canadian law and the legal system—particularly those who do not have the resources to retain lawyers.

We do so in recognition that by educating and informing people, we are providing them with the tools they need to understand and be better prepared to interact with the legal system. This goal has never been more important.

We at the People's Law School are looking forward to the changing legal landscape; we are also proud of the continuity of services we have provided over the last 36 years. We have gained valuable experience in providing public legal education and information, and have brought that expertise to bear in developing and delivering new programs.

While new issues arise, many of the important legal and social issues facing the people we serve remain the same. Our long history of helping people understand those issues puts us in a prime position to continue this work.

For example, since 1997 the People's Law School has provided public legal education in numerous immigrant languages about violence toward women. Thanks to a generous Grant from the Law Foundation, we will continue this tradition with the recent launch of a 3-year project dealing with violence against women in minority cultures.

While this is a new project, we will be able to draw on our considerable experience in providing public education to immigrant communities, as well as addressing issues relating to violence against women.

There are other examples of areas in which our substantial experience has provided us with the skills we need to provide effective and focused legal information and education.

For many years now, we have addressed advance planning matters through booklets such as "Power of Attorney," "Writing Your Will," and more recently, "A Death in Your Family," the latter resulting from a much appreciated Grant from the Notary Foundation of British Columbia. In the coming year, we will be rewriting a number of our booklets to reflect major changes in the law that will impact the advance planning area.

Another important area for us has been our outreach to youth. Our Justice Theatre program has operated in the public school system for over 10 years, offering hour-long performances on youth topics such as bullying, shoplifting, street racing, and hate crimes.

The Justice Theatre is very popular with students because it grabs their attention, raises their awareness of youth justice issues, and generates discussion of these issues in classrooms throughout BC.

We pioneered the Justice Theatre and, more recently, our law-related ESL Program in response to needs and opportunities we have recognized. Our Ontario counterpart CLEO has now created its own law-related ESL program based on our model.

It is in this pioneering spirit that we are constantly calling upon our rich experience as we consider new issues of importance for the people of BC. I want to emphasize the role public legal education has played, and will continue to play, in helping people resolve or avoid costly legal disputes.

Our programs continue to reach immigrants, seniors, youth, parents, workers, and the poor. By educating these and other people about their rights and responsibilities, we help create social cohesion around the values Canadians regard as fundamental.

Susan Coristine is Chair of the People's Law School. This article is from her address at their AGM in 2008.

The Scrivener, *Winter 2008, Vol. 17, No. 4*

The Vision of BC CEAS: All Seniors in British Columbia Have the Right to Live with Dignity, Safe from Abuse of Any Kind

On September 29, 2008, BC CEAS held a grand opening for its new Elder Law Clinic*.

Staffed by a lawyer, this clinic builds on our well-regarded paralegal information and advocacy program to allow us to provide legal advice and representation for seniors. People eligible for this service are those over the age of 55 who are not able to access justice because of low income or other barriers.

Priority will be given to situations where an older person is being (or has been) abused and where legal intervention is needed. Other priorities include assistance to access benefits and housing in the community, as well as issues related to care and safety in residential facilities.

BC CEAS made another big announcement this year. Although the acronym of BC CEAS remains the same, our name has changed from BC Coalition to Eliminate Abuse of Seniors to BC Centre for Elder Advocacy and Support. This change reflects our commitment to provide a continuum of services to older people, ranging from public education and information and support to legal advocacy and representation.

With good information, people can usually resolve their own problems, but sometimes more assistance is needed, especially when difficulties are longstanding and complex or when a person's safety or assets are at serious risk. The Elder Law Clinic enhances our ability to provide help in those serious situations.

Since 1984, members of BC CEAS have been creating educational materials and working with community partners to ensure services are available for older people who are abused or neglected. The Notary Foundation of BC has provided financial support at critical times over the years.

Pearl McKenzie

During the development of the Adult Guardianship Legislation, funding from the Notary Foundation allowed us to consult with people around the province about recommendations for laws, policies, and practices. At the same time, we developed a speaker's kit describing the legal issues that older people said most affected them. This work gave a voice to seniors and helped establish the need for laws and legal services to meet the needs of older people.

Here are excerpts from a letter written September 18, 1995, by Margaret Stocks, then-President of BC CEAS, to Stan Nicol, then-Executive Officer of the Notary Foundation.

> Your financial support is also allowing us to work with Seniors to implement some action steps to prevent and stop abuse of Seniors. For instance, Seniors attending a conference held in June in Abbotsford to develop a provincial action plan identified raising public awareness about the rights of Seniors as a priority. ...[Your funding] will enable us to mount a provincial campaign to increase public knowledge and recognition of Seniors' rights and how violation of those rights leads to abuse. Almost 50 people representing communities and Seniors' organizations from all over the province have agreed to form a network to consult with BC CEAS and continue to share information and ideas.

One of our most important goals in forming as a society was to become a provincial organization that represented and spoke from the voice of seniors. It seems we are well on our way to meeting that goal.

Now, 13 years later, there is increased interest in elder law and seniors' rights. We continue our efforts to make sure older people have the information they need to understand their options and make informed decisions.

And BC Notaries share that commitment. In 2005, the Notary Foundation gave BC CEAS a $7500 Grant to develop a booklet entitled

©iStockphoto.com/Cliff Parnell

"Strategies for Notaries Working with Seniors." We are very grateful to our funding partners and the people with whom we work in communities for supporting us over the years.

There is still much more work to be done but thank you for this opportunity to reflect on what we have accomplished together.

*The Law Foundation of British Columbia funds the Legal Advocacy Program and the Elder Law Clinic. Referrals to these services are made by calling the Seniors Help and Legal Information Line.

Pearl McKenzie is Vice President of the Board of Directors of BC CEAS.

The Scrivener, *Spring 2009, Vol. 18, No. 1*

BC Dispute Resolution Practicum Society Celebrates 10 Great Years

The BC Dispute Resolution Practicum Society—DRPS, as it is affectionately known—has celebrated its 10th year of service to British Columbians.

The DRPS provides trained but inexperienced mediators the opportunity to get hands-on experience by mediating real cases under the supervision of skilled mediators who act as mentors.

- The Court Mediation Program, the most established service of DRPS, operates in five registries of the BC Provincial Court, Small Claims Division.
- The Family Mediation Practicum Program provides training and free mediation in family matters.
- The Child Protection Mediation Practicum Program provides training and mediation services in child protection cases.

Twenty-seven BC Notaries have completed the Court Mediation Program; many have become mentors or have been selected to serve as Small Claims Mediators who conduct sole mediations in the Provincial Court.

Others, including Sally O'Sullivan-Lee, first female President of The Society of Notaries Public of BC—1996 to 1998, have gone on to serve as mentors in other DRPS programs.

Over 100 people attended the celebration reception in the Heritage Courtroom at the Vancouver Art Gallery, the home of the Vancouver Courthouse until the late 1970s. The wonderful turnout was a tribute to the significant impact the DRPS has had on the lives and careers of many people from a variety of backgrounds.

Kari Boyle

The work of the DRPS, and the Court Mediation Program in particular, was highlighted in the Spring 2006 edition of ***The Scrivener***, including feature articles by founders Lee Turnbull and Sharon Sutherland.

Lee Turnbull

Sharon Sutherland

At the reception, both Lee and Sharon were honoured for their long-term dedication to the DRPS and to the development of mediation in the province.

Allan Seckel, Deputy AG

M. Jerry McHale QC

Sally O'Sullivan-Lee

Special guests included Chief Judge Hugh Stansfield of the Provincial Court; Deputy Attorney General Allan Seckel QC; Assistant Deputy Minister, Justice Services, M. Jerry McHale QC; Wayne Robertson, Executive Director of the Law Foundation of BC; David Merner, Director of the Dispute Resolution Office, Ministry of AG; Sally O'Sullivan-Lee, mentor and former BC Notary; Carol Graham, Court Services Branch; Ron Friesen, Continuing Legal Education Society of BC, one of the key founders and first President of the DRPS; and many current and former Board members, staff, mentors, mediators, court staff, and friends.

The DRPS has enjoyed a long and beneficial relationship with BC Notaries and congratulates The Society on its continuing support for the Notary Foundation Mediation Workshop and the participation of BC Notaries in the DRPS programs.

Here's to another 10 years!

For more information on the DRPS or the Court Mediation Program, please go to www.courtmediation.com.

Kari Boyle currently serves as Executive Director of the DRPS. She is a lawyer (called in 1981), a trained mediator, an educator, and a consultant in legal services management and civil justice reform.

The Scrivener, *Spring 2009, Vol. 18, No. 1*

Congratulations, BC Notary Class of 2009

Madam Justice Loryl Russell officiated when our new BC Notaries received their commissions May 7 at the Vancouver Court House.

The Installation Luncheon followed at the Pan Pacific Hotel. Secretary and Executive Director Wayne Braid was Master of Ceremonies. Many Board members attended, including Society President Susan Davis, 2nd Vice President Tiah Workman, Immediate Past President Ken Sherk, Trish Fedewich, Akash Sablok, Tammy Morin Nakashima, Brent Atkinson, and Joan Letendre. Also enjoying the festivities were Course Examiners Bob Reid, George Cadman, and Rick Evans; Legal Counsel Todd McKendrick and Quang Duong; David Moore of UBC's Sauder School of Business; David Leggett who stood in for Bernard Hoeter, longtime Secretary of The Society; our former Secretary Stan Nicol; Don de Jersey of BDO Dunwoody; Marny Morin, The Society's Director of Education; and Wayne Braid's Executive Assistant Rebecca Magallanes, who organized the event.

Award Winners 2009

BDO Dunwoody Award

For achieving the most consistent performance in all aspects of the 2009 Notarial Education Program

Presenter: Don de Jersey
Winner: Janice Grunert, Kamloops

Robert Reid Award

For achieving the highest mark on the 2009 Property Examination

Presenter: Bob Reid
Winner: Mariana Troeva-Katova, Burnaby

Bernard W. Hoeter Award

For achieving the highest overall marks in the 2009 Statutory Examinations

Presenter: David Leggett, for Dr. Hoeter
Winner: Mariana Troeva-Katova, Burnaby

UBC Real Estate Division Sauder School of Business Award

For achieving the highest mark on the 2009 Conveyance Practice Examination

Presenter: David Moore
Winner: Steele Althouse, Nanaimo

Stanley J. Nicol Award

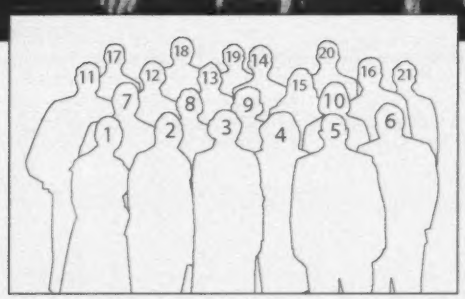
For achieving the highest mark on the 2009 Notarial Procedures Examination

Presenter: Stan Nicol
Winner: Mariana Troeva-Katova, Burnaby

Photos: www.bjphotography.com

Welcome to Our New BC Notaries

Photos: *www.wildmanphotography.com*



On the Steps of the Vancouver Law Courts

1. Marnie Gunther
2. Pamela Lawson
3. Jane Letourneau
4. Heather Waal
5. Nadir Allibhai
6. The Society's Executive Director Wayne Braid
7. Steve Woo
8. Mariana Troeva-Katova
9. Charlene Silvester
10. Janice Grunert
11. The Society's Counsel Todd McKendrick
12. Terry Dale Roberts
13. Rikki Puri
14. Curtis Yoshida
15. Cheryl Vavra
16. Stephen Pellizzari
17. Jaron Manning
18. Fereidoon Demehri
19. Fraser McKinnon
20. Steele Althouse
21. Jeffery Lam

Meet Our MAALS Educators!

MAALS—the new Master of Arts in Applied Legal Studies program at Simon Fraser University—is a unique graduate-level professional education for those wishing to become a Notary in British Columbia.

Based at SFU's new Surrey campus, the program involves extensive use of modern learning technologies, particularly a variety of online resources blended with more traditional face-to-face learning. By all accounts, the students are enjoying both the diversity of the program and its applied emphasis, including biweekly tutorials and guest speakers.

The MAALS program involves a close partnership between SFU and The Society of Notaries Public of BC. It is already proving to be a model for professional graduate degrees in other disciplines.

Dr. Robert Gordon

Dr. Robert Gordon is the Coordinator of Simon Fraser University's Master of Arts in Applied Legal Studies program. He is the Director of the School of Criminology at Simon Fraser University and a Professor of Criminology. Best known for his extensive work on the law affecting adult guardianship, adult protection, and personal planning in Canada, Dr. Gordon contributes to the Applied Legal Studies courses and will be responsible for setting the final Master of Arts examination at the end of the last term.

Graeme Bowbrick QC*

Graeme Bowbrick is an adjunct professor with the SFU School of Criminology, a member of the Law Society of BC, and a former MLA and Attorney General of British Columbia. In his Applied Legal Studies 602 class (Legal Research and Writing), he teaches Notary students how to conduct legal research using the leading online tools, including QuickLaw, LawSource, LegisInfo, and QP Legaleze. Because he believes good legal researchers understand the origins of law, Graeme teaches students about the creation of legislation through the legislative process and the basic elements of legal reasoning in the creation of case law. He emphasizes the importance of clear writing and plain language in a legal context.

Neil Boyd

Neil Boyd, a Professor and Associate Director of the School of Criminology, was educated at Osgoode Hall Law School. The author of 5 books and 2 textbooks, he is a frequent media commentator on subjects related to criminology, specifically drug law and policy, and issues of criminal violence and homicide. His upcoming book, ***A Thousand Dreams: Vancouver's Downtown Eastside and the Battle for Its Future***, is co-authored with Senator Larry Campbell and Lori Culbert of ***The Vancouver Sun***. Neil teaches the ALS 601 course, which focuses on Canadian Law.

David MacAlister

David MacAlister is Assistant Professor in the School of Criminology at SFU. In addition to a postsecondary education in Criminology, he has two degrees in law—an LLB from UBC and an LLM from Queen's University. Responsible for a significant portion of the development of the MAALS program, he prepared the Notice of Intent to develop the program and shepherded the final Full Program Proposal through to approval by the University and the provincial government. He currently teaches ALS 603, the Legal Philosophy course required of all BC Notary students in their first term of the program.

Marny Morin

Involved in the BC Notaries' student education program since 1992, Marny Morin is teaching "Selected Topics in Applied Legal Studies" (ALS 620) in the Spring 2009 term. She will give students an overview of various areas of law and enhance their understanding of key topics, with particular emphasis on the law and practice of special interest to BC Notaries. This year, the specific topics include the law of agency; current issues in tax law, including real property taxation; builder's lien issues; personal property security; and the law affecting business associations and not-for-profit incorporation.

Tony Wilson*

Tony Wilson teaches ALS 610—Canadian Contract Law—offered between January and April through online distance education. In his legal practice, Tony drafts and reviews contracts and practises Franchising, Licensing, and Intellectual Property Law at Boughton Law Corporation in Vancouver. Ranked by LEXPERT as a leading franchise lawyer in Canada, Tony is the author of ***Buying a Franchise in Canada – Understanding and Negotiating Your Franchise Agreement***, now in its second printing. He loves teaching the course for the MAALS program and is impressed with the high level of exchange within the online discussion group.

Todd McKendrick*

Counsel of Record for The Society for over 8 years, Todd McKendrick holds degrees in Philosophy, Law, and Business. Beginning in September 2009, he will be teaching the six-credit "capstone" course, the final segment of the MAALS degree. His topics include loss prevention, ethics, the law of negligence, marketing strategies, technology, professionalism, the business of practising law, the future of the practice of law, and the correct execution of the ***jurat*** in a statutory declaration.

George Cadman QC*

A member of The Society's Board of Examiners since 2004, George Cadman is teaching Real Property Law I in the Spring 2009 term and Real Property Law II in the Summer 2009 InterSession. This course will cover the full range of substantive property law theory, concepts, and issues, as well as key statutory provisions with which BC Notaries Public must be conversant in practice. As senior counsel at Boughton Law Corporation in Vancouver, George maintains an active law practice dealing with real estate litigation and industry issues. He also serves on the Board of Directors of the Vancouver International Airport Authority and as Chief Legal Officer of the Anglican Diocese of New Westminster.

D. Peter Ramsay QC*

D. Peter Ramsay divides his time between maintaining an active practice in Wills, estate planning, and estate litigation as a senior partner in a 14-lawyer Nanaimo law firm, and teaching Property, Trusts, and Succession at the UBC law school. His 1997 LLM thesis was on ***Wills Variation Act*** issues. He chairs the British Columbia Law Institute's Succession Law Reform Project Committee and the Probate Rules Committee tasked with making recommendations to the Government of British Columbia for succession law and court rules reform. Peter teaches the Personal Planning course to BC Notary students in the MAALS program.

* Adjunct Professors

Notary Foundation of British Columbia
Financial Statements
For the year ended June 30, 2009

The Notary Foundation's Financial Statement for the period ending June 30, 2009, indicates a significant reduction in income to the Foundation.

During this past fiscal year, both interest rates and trust account balances have declined from the records set in 2007.

Notary Foundation of British Columbia
Financial Statements
For the year ended June 30, 2009

Contents

Auditors' Report	**2**
Financial Statements	
Statement of Financial Position	3
Statement of Operations and Changes in Net Assets	4
Statement of Cash Flows	5
Summary of Significant Accounting Policies	6 - 8
Notes to Financial Statements	9 - 12

BDO Dunwoody LLP
Chartered Accountants

600 Cathedral Place
925 West Georgia Street
Vancouver BC Canada V6C 3L2
Telephone: (604) 688-5421
Fax: (604) 688-5132
Email: vancouver@bdo.ca
www.bdo.ca

Auditors' Report

To the Members of the
Notary Foundation of British Columbia

We have audited the Statements of Financial Position of the Notary Foundation of British Columbia as at June 30, 2009 and the Statement of Operations and Changes in Net Assets and Cash Flows for the year then ended. These financial statements are the responsibility of the Foundation's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Notary Foundation of British Columbia as at June 30, 2009, the results of its operations and cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

BDO Dunwoody LLP

Chartered Accountants

Vancouver, British Columbia

BDO Dunwoody LLP is a Limited Liability Partnership registered in Ontario

Notary Foundation of British Columbia
Statement of Financial Position

June 30	General Fund	Education and Administrative Fund	Grants Fund	2009	2008
Current Assets					
Cash (Note 2)	$ 522,186	$ -	$ -	$ 522,186	$ 1,618,490
Accrued interest receivable	104,788	-	-	104,788	322,364
Short term investments (Note 3)	399,043	-	-	399,043	942,871
	1,026,017	-	-	1,026,017	2,883,725
Investments (Note 4)	2,588,760	-	-	2,588,760	3,357,161
	$ 3,614,777	$ -	$ -	$ 3,614,777	$ 6,240,886
Current Liabilities					
Accounts payable and accrued liabilities (Note 5)	$ 726,774	$ 201,407	$ -	$ 928,181	$ 3,426,332
Due to the Society of Notaries Public of British Columbia (Note 7)	-	27,267	-	27,267	27,267
Interfund balances	2,888,003	(2,086,443)	(801,560)	-	-
	3,614,777	(1,857,769)	(801,560)	955,448	3,453,599
Net assets	-	1,857,769	801,560	2,659,329	2,787,287
	$ 3,614,777	$ -	$ -	$ 3,614,777	$ 6,240,886

Approved by The Board of Governors:

_____ Governor

_____ Governor

The accompanying summary of significant accounting policies and notes form an integral part of these financial statements.

Notary Foundation of British Columbia
Statement of Operations and Changes in Net Assets

For the year ended June 30	General Fund	Education and Administrative Fund	Grants Fund	2009	2008
Revenue (Note 6)					
Interest earned on members' trust accounts	$ 1,436,142	$ -	$ -	$ 1,436,142	$ 5,562,700
Investment income (loss)	(112,016)	-	(2,675)	(114,691)	180,118
Unrealized gains (loss) on investments	100,958	-	-	100,958	(70,812)
	1,425,084	-	(2,675)	1,422,409	5,672,006
Expenses					
Education and Administrative Fund (Note 6)	-	462,493	-	462,493	2,009,987
Grants Fund	-	-	361,100	361,100	444,429
Legal Services Society of British Columbia	726,774	-	-	726,774	3,158,550
	726,774	462,493	361,100	1,550,367	5,612,966
Excess (deficiency) of revenue over (under) expenses	698,310	(462,493)	(363,775)	(127,958)	59,040
Net assets, beginning of the year	-	1,756,768	1,030,519	2,787,287	2,728,247
	698,310	1,294,275	666,744	2,659,329	2,787,287
Transfer (to) from Education and Administrative Fund	(563,494)	563,494	-	-	-
Transfer (to) from Grants Fund	(134,816)	-	134,816	-	-
Net assets, end of year	$ -	$ 1,857,769	$ 801,560	$ 2,659,329	$ 2,787,287

The accompanying summary of significant accounting policies and notes form an integral part of these financial statements.

Notary Foundation of British Columbia
Statement of Cash Flows

For the year ended 2009	2009	2008
Cash provided by (used in)		
Operating activities		
Excess (deficiency) of revenues over (under) expenses	$ (127,958)	$ 59,040
Item not involving cash		
Unrealized (gains) loss on investments	(100,958)	(70,812)
	(228,916)	(11,772)
Changes in non-cash working capital balances		
Accrued interest receivable	217,575	418,285
Prepaid expenses	-	21,777
Accounts payable and accrued liabilities	(2,498,151)	2,343,675
	(2,509,492)	2,771,965
Investing activities		
Proceeds and distributions from investments	2,927,806	1,209,533
Purchase of investments	(1,514,618)	(3,484,684)
	1,413,188	(2,275,151)
Increase (decrease) in cash during the year	(1,096,304)	496,814
Cash, beginning of year	1,618,490	1,121,676
Cash, end of year	$ 522,186	$ 1,618,490

The accompanying summary of significant accounting policies and notes are an integral part of these financial statements

5

Financial Instruments

The Notary Foundation of British Columbia ("the Foundation") classifies its financial instruments as follows:

Held for Trading

Any financial instrument whose fair value can be reliably measured may be designated as held for trading on initial recognition or adoption of CICA 3855 Financial Instruments – Recognition and Measurement. The Foundation has designated cash and investments on initial recognition as held for trading. These instruments are recognized at their fair value, determined by published price quotations in an active market. Transactions to purchase or sell these items are recorded on the settlement date, and transaction costs are immediately recognized in income. Net gains and losses arising from changes in fair value are recognized immediately in income.

Loans and Receivables

The Foundation has classified accrued interest receivable as loans and receivables. This asset is initially recognized at its fair value and transaction costs are immediately recognized in income. Fair value is approximated by the instrument's initial cost in a transaction between unrelated parties.

Loans and receivables are subsequently measured at their amortized cost, using the effective interest method. Gains and losses arising from changes in fair value are recognized in net income upon de-recognition or impairment. Loans and receivables are recorded at cost. The fair value of loans and receivables are considered to approximate their carrying value due to their short-term nature.

Other Financial Liabilities

The Foundation has classified accounts payable, accrued liabilities and due from related party as other financial liabilities. These liabilities are initially recognized at their fair value. Fair value is approximated by the instrument's initial cost in a transaction between parties.

Other financial liabilities are subsequently measured at their amortized cost, using the effective interest method. Gains and losses arising from changes in fair value are recognized in net income upon de-recognition or impairment. Other financial liabilities are recorded at cost. The fair value of other financial liabilities are considered to approximate their carrying value due to their short-term nature.

Revenue Recognition

The interest earned on members' trust accounts is calculated and remitted to the Foundation based upon agreements made with individual financial institutions. The trust accounts are not the property of nor are they administered by the Foundation. The interest earned on members' trust accounts held in financial institutions is recognized by the Foundation on an accrual basis.

The Foundation assumes that all notaries who hold funds in trust for or on account of clients comply strictly with Section 54 of the Notaries Act. Compliance is confirmed by regular annual audit examinations of the notaries' trust accounts.

Investment income includes gains and losses on sale of investments, interest and dividend income and gains or losses resulting from changes in the fair market value of investments. Interest and dividend income is recognized when earned and is allocated on a predetermined basis amongst the funds.

Grants

Grants are recorded in the Foundation's accounts in the year of authorization.

Use of Estimates

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future. Significant estimates made by management include, but are not limited to, completeness of accrued interest receivables and accounts payable and accrued liabilities.

New Accounting Pronouncements

The new standards adopted by the CICA but not yet effective are as follows:

Financial Statement Concepts, Section 1000

Section 1000, which describes the concepts underlying the development and use of accounting principles in general purpose financial statements, has been amended to focus on the capitalization of costs that truly meet the definition of an asset and de-emphasizes the matching principle. The revised requirements are effective for financial statements relating to fiscal years beginning on or after October 1, 2008.

The Foundation is currently assessing the impact of the above noted new standard.

New Accounting Pronouncement - Continued

There have been other recent accounting pronouncements issued by the CICA that have been issued, but are not yet effective. However, none of the pronouncements issued are expected to have a significant impact on the Foundation.

June 30, 2009

1. Organization and Income Tax Status

The Notary Foundation of British Columbia (the "Foundation") was established in 1986 under Section 50 of the Notaries Act. The Foundation is a not-for-profit organization, which receives funding from interest earned on the pooled trust funds of the notaries.

The Foundation is to establish and maintain funds to be used for the purpose of:

- legal education, legal research and legal aid,
- salary, administration, education and continuing education for notaries and applicants for enrolment as notaries,
- establishing, operating and maintaining law libraries in the Province of British Columbia, and
- contributing to the Special Fund established under Section 20 of the Notaries Act but solely for the purpose of increasing the principal amount of this Fund to $500,000, as the limit has been reached, the excess amount is transferred to the Legal Services Society of British Columbia.

These financial statements have been prepared on the restricted fund method of accounting for not-for-profit organizations. The Foundation, as a result of its not-for-profit status, is not subject to income taxes.

2. Cash

The Foundation's cash is held in various Canadian chartered banks. The accounts earn interest at prevailing market rates.

3. Short-term Investments

Investments are comprised of:

	2009 Fair Value	2008 Fair Value
Equities	$ 399,043	$ 942,871

The Foundation's investments are held through one Canadian investment management company.

Equities are classified as short term investments as they are revolving equities.

4. Long-term Investments

	2009 Fair Value	2008 Fair Value
Long-term bonds and debentures	$ 2,588,760	$ 3,357,161

The bonds and debentures bear interest from 3.550% to 6.282% (2008 - 3.000% to 6.282%) per annum and mature between September 15, 2013 and December 1, 2036.

5. Accounts Payable and Accrued Liabilities

Accounts payable and accrued liabilities pertain to the allocation of revenue from the General Fund less payments and are comprised of the following:

	2009	2008
Legal Services Society of British Columbia		
Balance, beginning of period	$ 3,158,550	$ 965,478
Earned revenue from General Fund	726,774	3,158,550
Payments to Legal Services Society of British Columbia	(3,158,550)	(965,478)
	726,774	3,158,550
Education, administrative and grant payables	201,407	267,782
Balance, end of the year	$ 928,181	$ 3,426,332

Included in the current education, administrative and grant payables is $151,407 (2008 - $242,782) due to the Society of Notaries Public of British Columbia.

6. Allocation of Revenue

Realized revenue earned by the Foundation is to be disbursed as follows:

a) 50% to be paid to the Legal Services Society of British Columbia.

b) 5% to be paid to the Special Fund which is administered by the Society of Notaries Public of British Columbia (Note 1). The maximum amount that can be paid to the Special Fund is $20,000 or 5% as determined by requirements within the Notaries Act. Any excess amounts are to be allocated to the Legal Services Society of British Columbia.

6. Allocation of Revenue - Continued

c) 10% to be used for legal education, legal research and the establishing, operating and maintaining of law libraries in the Province of British Columbia (Grants Fund). Grant Funds are recognized as payable once approved by the governors committee. The Foundation may maintain a reserve fund composed of up to three years of contributions to the Grants Fund (the "Foundation Reserve Fund").

d) 35% to be used for salary, administrative, education and continuing education of notaries and notarial applicants (the "Education and Administrative Fund"). The Foundation provides an annual grant to the Society of Notaries Public of British Columbia (the "Society") to fund Education and Continuing Education initiatives which are carried out by the Society on behalf of the Foundation in order for the Foundation to meets its obligation pursuant to its articles of incorporation under the Notaries Act. The Foundation may maintain a reserve fund composed of up to three years of contributions to the Education and Administrative Fund (the "Foundation Reserve Fund").

7. Related Party Transactions

The amount of $27,267 (2008 - $27,267) due to the Society of Notaries Public of British Columbia (the "Society"), an organization with common directors and governors, is unsecured, non-interest bearing and has no specific terms of repayment.

During the year, the Foundation had paid grants in the amount of $462,493 (2008 - $2,009,987) to the Society which was used by the Society to fund Education and Continuing Education initiatives as described in Note 6(d) and in accordance with the Governance Agreement and the Notaries Act of British Columbia. The transactions are in the normal course of operations and are measured at their carrying amount.

8. Financial Instruments Risks

The Foundation, through its financial assets and liabilities, is exposed to various risks. The following analysis provides a measurement of those risks at June 30, 2009.

(a) Credit Risk

Credit risk is the risk that The Foundation will incur a loss due to the failure by its debtors to meet their contractual obligations. Financial instruments that potentially subject the Foundation to significant concentrations of credit risk consist primarily of cash, investments and accrued interest receivable. The Foundation limits its exposure to credit risk by placing its cash and investments with high credit quality governments, financial institutions, corporations and Canadian and foreign equities in accordance with investment policies adopted by the Foundation.

8. Financial Instruments Risks - Continued

(b) Foreign Exchange Risk

Foreign exchange risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates. The Foundation has limited exposure to foreign exchange risk as 97% all financial instruments are denominated in Canadian dollars

(c) Interest Rate Risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The interest rates and terms of cash, short-term investments, and long-term investments are as disclosed in Note 4.

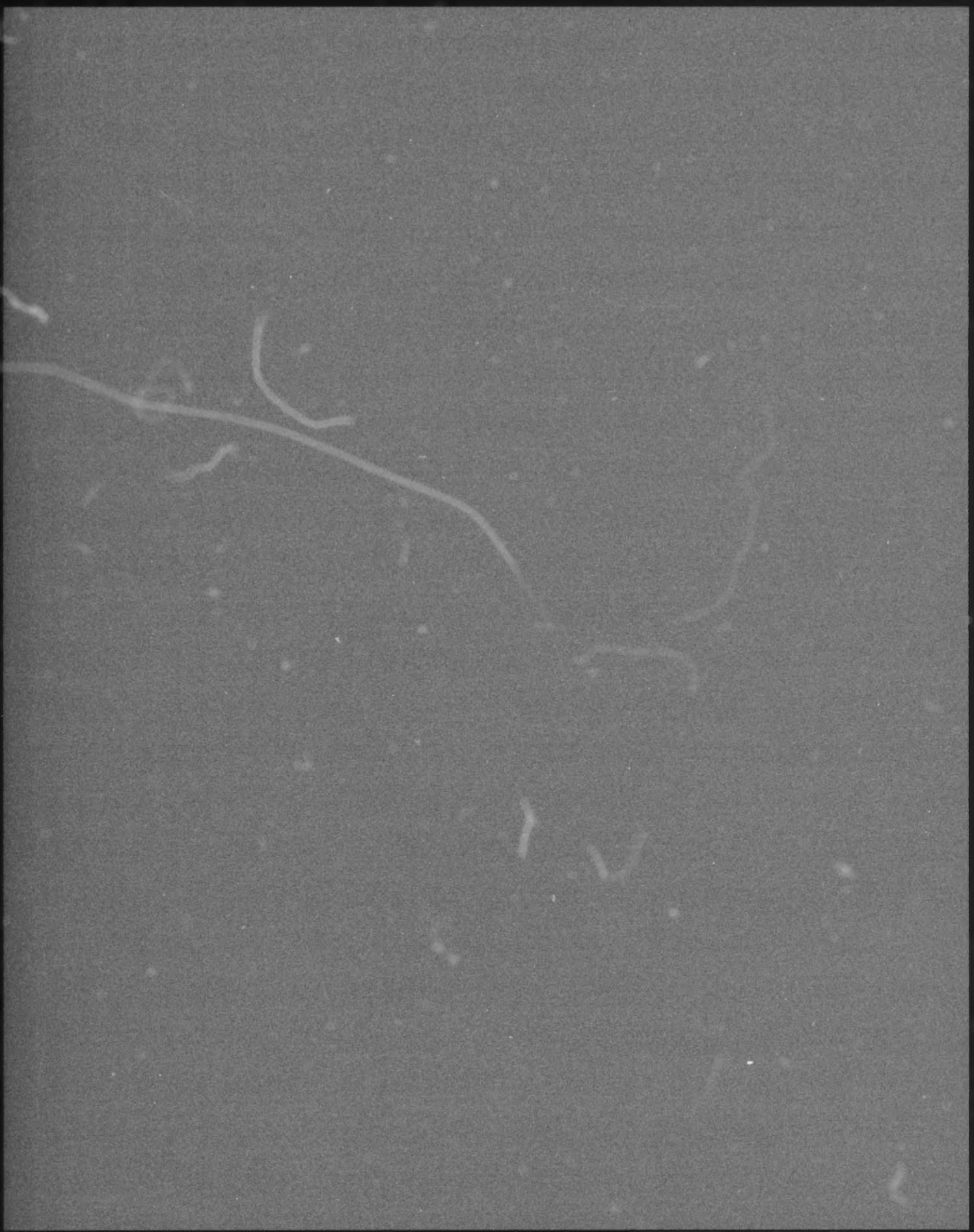
(d) Liquidity Risk

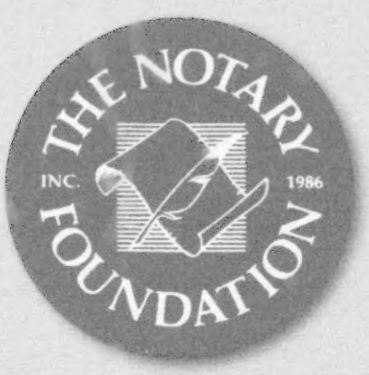
Liquidity risk is the risk that The Foundation will not be able to meet its obligations as they fall due. The Foundation maintains adequate levels of working capital to ensure all its obligations can be met when they fall due. Investments are also held in securities that can be liquidated within a few days notice.

(e) Capital Risk

The Foundation considers its capital to be its net assets. The Foundation's objectives when managing its capital are to safeguard its ability to continue as a going concern so it can continue to provide education to its members at varying levels as well as supporting the Legal Services Society while maintaining its tax exempt status under the Canadian Income Tax Act. Annual budgets are developed and monitored to ensure the organization's capital is maintained at an appropriate level.

Notes





The Notary Foundation of British Columbia

Box 44, 1220 – 625 Howe Street
Vancouver, BC V6C 2T6

Voice: 604 681-4516
Fax: 604 681-7258

society@notaries.bc.ca
www.notaries.bc.ca